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|--|----|------------------------|------------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence during pendency of filed application)</i> |    | Application Number     | 09/870,992       |
|  |    | Filing Date            | June 1, 2001     |
|  |    | First Named Inventor   | James D. Flavin  |
|  |    | Group Art Unit Number  | 2123             |
|  |    | Examiner Name          | Russell L. Guill |
| Total Number of Pages in This Submission   | 7* | Attorney Docket Number | 23982-10381      |

| ENCLOSURES (check all that apply)   |   |
|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)<br><input checked="" type="checkbox"/> Check Enclosed | <input type="checkbox"/> Issue Fee Transmittal  |
| <input checked="" type="checkbox"/> Return Receipt Postcard   | <input type="checkbox"/> Letter to Chief Draftsperson   |
| <input type="checkbox"/> Response to Notice to File Missing Parts   | <input type="checkbox"/> Formal Drawing(s):<br>[ ] Sheet(s) of Figure(s) [ ]                  |
| <input type="checkbox"/> Assignment & Recordation Cover Sheet   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences           |
| <input type="checkbox"/> Declaration  | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> Power of Attorney  | <input type="checkbox"/> Certified Copy of Priority Document(s)                               |
| <input type="checkbox"/> Application Data Sheet   | <input type="checkbox"/> After Allowance Communication to Group                               |
| <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement & PTO/SB/08A                                | <input type="checkbox"/> _____  |
| <input checked="" type="checkbox"/> Copies of IDS Cited Non-Patent References   | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Request for Corrected Filing Receipt   | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Request for Correction of Recorded Assignment  | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Amendment/Response: [ ] Page(s)  | <input type="checkbox"/> _____  |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Status Request   | <input type="checkbox"/> _____  |
| <input type="checkbox"/> Revocation and Substitute Power of Attorney  | <input type="checkbox"/> _____  |

REMARKS: \*Page count does not include cited references.

| SIGNATURE OF ATTORNEY OR AGENT |                                    |               |
|--------------------------------|------------------------------------|---------------|
| Signature:                     |                                    |               |
| Attorney/Reg. No.:             | Rimma Budnitskaya, Reg. No. 48,327 | Dated: 8/8/05 |

| CERTIFICATE OF MAILING  |                   |               |
|---|-------------------|---------------|
| I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10. |                   |               |
| Signature:  |                   |               |
| Typed or Printed Name:  | Rimma Budnitskaya | Dated: 8/8/05 |
| Express Mail Mailing Number (optional):   |                   |               |

| <b>Complete if Known</b> |                  |
|--------------------------|------------------|
| Application Number       | 09/870,992       |
| Filing Date              | June 1, 2001     |
| First Named Inventor     | James D. Flavin  |
| Examiner Name            | Russell L. Guill |
| Art Unit                 | 2123             |
| Attorney Docket No.      | 23982-10381      |

**METHOD OF PAYMENT** (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account:

|                        |         |
|------------------------|---------|
| Deposit Account Number | 19-2555 |
|------------------------|---------|

Deposit Account Name

Fenwick & West LLP

**The Commissioner is authorized to:** *(check all that apply)*

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

|  | <b>Large Entity</b>   | <b>Small Entity</b>  |
|--|---|--|
| 1. <b>Revenue Recognition</b>              | Must follow ASC 606 (or IASB equivalent) unless it qualifies for the small business exemption.  | May elect to use the simplified revenue recognition method under ASC 606-10-97 if it meets the criteria.   |
| 2. <b>Leases</b>                           | Must apply ASC 842 (Leases), which requires lessees to recognize most leases on the balance sheet as right-of-use assets and liabilities. | May elect to use the simplified lease accounting method under ASC 842-10-97, which allows lessees to keep operating leases off-balance sheet.        |
| 3. <b>Goodwill Impairment Testing</b>      | Required to perform annual goodwill impairment tests or more frequently if indicators exist.  | Not required to test for goodwill impairment; instead, they must disclose the carrying amount of goodwill at the end of each reporting period.       |
| 4. <b>Financial Statement Presentation</b> | Required to provide detailed disclosures for many areas, including segment information, related party transactions, and contingencies.    | Allowed to use simplified presentation methods for certain items, such as disclosing only the aggregate effect of contingencies rather than details. |
| 5. <b>Internal Controls</b>                | Subject to SOX 404(b) requirements, which mandate external audits of internal controls over financial reporting.                          | Exempt from SOX 404(b) requirements, though still subject to SOX 302 (CEO/CFO certification).  |

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|-----------------|----------|
|----------|----------|----------|----------|-----------------|----------|

|                     |             |          |
|---------------------|-------------|----------|
| <b>SUBTOTAL (1)</b> | <b>(\$)</b> | <b>0</b> |
|---------------------|-------------|----------|

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    |                      | Extra Claims |                      | Fee from below |                      | Fee Paid               |
|--------------------|----------------------|--------------|----------------------|----------------|----------------------|------------------------|
| Total Claims       | <input type="text"/> | -20** =      | <input type="text"/> | X              | <input type="text"/> | = <input type="text"/> |
| Independent Claims | <input type="text"/> | -3** =       | <input type="text"/> | X              | <input type="text"/> | = <input type="text"/> |
| Multiple Dependent |                      |              |                      |                | <input type="text"/> | = <input type="text"/> |

|                                 | Large Entity   | Small Entity   |
|---------------------------------|--|--|
| 1. <b>Revenue Recognition</b>   | Revenue is recognized when the performance obligation is satisfied, which is when control of the goods or services is transferred to the customer. | Revenue is recognized when the performance obligation is satisfied, which is when control of the goods or services is transferred to the customer. |
| 2. <b>Expense Recognition</b>   | Expenses are recognized when the related asset is consumed or the liability is incurred.   | Expenses are recognized when the related asset is consumed or the liability is incurred.   |
| 3. <b>Asset Recognition</b>     | Assets are recognized when the company has control over the resource and it is probable that the resource will generate future economic benefits.  | Assets are recognized when the company has control over the resource and it is probable that the resource will generate future economic benefits.  |
| 4. <b>Liability Recognition</b> | Liabilities are recognized when the company has a present obligation to transfer an asset or provide a service in the future.                      | Liabilities are recognized when the company has a present obligation to transfer an asset or provide a service in the future.                      |
| 5. <b>Equity Recognition</b>    | Equity is recognized as the residual interest in the assets of the entity after deducting all liabilities.   | Equity is recognized as the residual interest in the assets of the entity after deducting all liabilities.   |

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description   |
|----------|----------|----------|----------|---|
| 1202     | 50       | 2202     | 25       | Claims in excess of 20                                    |
| 1201     | 200      | 2201     | 100      | Independent claims in excess of 3                         |
| 1203     | 360      | 2203     | 180      | Multiple dependent claim, if not paid                     |
| 1204     | 200      | 2204     | 100      | **Reissue independent claims over original patent         |
| 1205     | 50       | 2205     | 25       | **Reissue claims in excess of 20 and over original patent |

|                     |               |
|---------------------|---------------|
| <b>SUBTOTAL (2)</b> | <b>(\$)</b> 0 |
|---------------------|---------------|

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)

### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath or declaration                         |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 120      | 2251         | 60       | Extension for reply within first month                                     |          |
| 1252         | 450      | 2252         | 225      | Extension for reply within second month                                    |          |
| 1253         | 1020     | 2253         | 510      | Extension for reply within third month                                     |          |
| 1254         | 1,590    | 2254         | 795      | Extension for reply within fourth month                                    |          |
| 1255         | 2,160    | 2255         | 1,080    | Extension for reply within fifth month                                     |          |
| 1401         | 500      | 2401         | 250      | Notice of Appeal   |          |
| 1402         | 500      | 2402         | 250      | Filing a brief in support of an appeal                                     |          |
| 1403         | 1000     | 2403         | 500      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 500      | 2452         | 250      | Petition to revive - unavoidable   |          |
| 1453         | 1,500    | 2453         | 750      | Petition to revive - unintentional   |          |
| 1501         | 1,400    | 2501         | 700      | Utility issue fee (or reissue)   |          |
| 1502         | 800      | 2502         | 400      | Design issue fee   |          |
| 1503         | 1100     | 2503         | 550      | Plant issue fee  |          |
| 1460         | —        | 1460         | —        | Petitions to the Director  |          |
| 1807         | 50       | 1807         | 50       | Processing fee for Provisional Applications                                |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  | 180      |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 790      | 2809         | 395      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810         | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801         | 790      | 2801         | 395      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

|                     |                 |
|---------------------|-----------------|
| <b>SUBTOTAL (3)</b> | <b>(\$)</b> 180 |
|---------------------|-----------------|

## SUBMITTED BY

|                   |                  |
|-------------------|------------------|
| Name (Print/Type) | Rimma Budnitskay |
|-------------------|------------------|

|                                      |        |
|--------------------------------------|--------|
| Registration No.<br>(Attorney/Agent) | 48,327 |
|--------------------------------------|--------|

Complete (if applicable)

Telephone (415) 875-2401

**Signature**

Date \_\_\_\_\_

8/8/05



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: James D. Flavin  
APPLICATION NO.: 09/870,992  
FILING DATE: June 1, 2001  
TITLE: System And Methods For Application Service Provision  
EXAMINER: Russell L. Guill  
GROUP ART UNIT: 2123  
ATTY. DKT. NO.: 23982-10381

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: 8/8/05

By:   
Rimma Budnitskaya, Reg. No.: 48,237

MAIL STOP AMENDMENT  
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P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**Under 37 CFR §§ 1.56 and 1.97-98**

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;

- ☒ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - ☒ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:
  - ☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained

**PATENT**

in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(d); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. \_\_\_\_\_, filed on \_\_\_\_\_, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☒ Copies of any foreign patent documents and non-patent literature cited herein are enclosed.
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☐ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

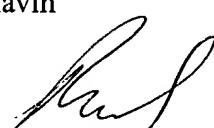
Consideration of the listed references and favorable action are solicited.

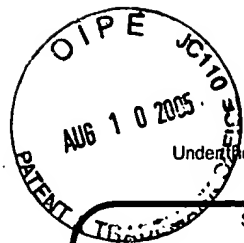
Respectfully submitted,  
James D. Flavin

Dated: \_\_\_\_\_

8/8/05

By: \_\_\_\_\_

  
Rimma Budnitskaya, Reg. No.: 48,237  
Fenwick & West LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
Tel.: (415) 875-2401  
Fax.: (650) 938-5200



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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT****Complete if Known**

|                        |                  |
|------------------------|------------------|
| Application No.        | 09/870,992       |
| Filing Date            | June 1, 2001     |
| First Named Inventor   | James D. Flavin  |
| Art Unit               | 2123             |
| Examiner Name          | Russell L. Guill |
| Attorney Docket Number | 23982-10381      |

Sheet

1

of

1

**U.S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Document No.<br>Number – Kind Code <sup>2</sup> (if known) | Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document |
|--------------------|-----------------------|--|--------------------|--|
|                    | A1                    | US-6,804,708   | 10-12-2004         | Jerding et al.                                     |
|                    | A2                    | US-2002/0091697 A2   | 07-11-2002         | Huang et al.                                       |
|                    | A3                    | US-5,872,972   | 02-16-1999         | Boland et al.                                      |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> –<br>Number <sup>4</sup><br>Kind Code <sup>5</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | T <sup>6</sup> |
|--------------------|-----------------------|--|--------------------------------|--|----------------|
|                    |                       |  |                                |  |                |
|                    |                       |  |                                |  |                |
|                    |                       |  |                                |  |                |

**OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T <sup>6</sup> |
|--------------------|-----------------------|--|----------------|
|                    | C1                    | GREER, T., "Understanding Intranets," Microsoft Press, 1998, ISBN 1-571231-702-7, pages 6-7, 61-65, 77, 105-111, 204, 251.   |                |
|                    | C2                    | International Search Report, PCT/US01/17760, November 23, 2001, 3 pages.   |                |
|                    | C3                    | SCHEMERS III, R., "Ibnamed: A Load Balancing Name Server In Perl," 1995, Ninth System Administration Conference (LISA '95), Monterey, California, September 18-22, 1995, pp. 1-12.   |                |
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|                    |                 |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

23982/10381/DOCS/1549319.1